

STATEMENT BY MR. DUSHYANT SINGH, MEMBER OF PARLIAMENT, ON AGENDA ITEM 16
– INFORMATION AND COMMUNICATION TECHNOLOGIES FOR DEVELOPMENT, AT THE
66TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 26, 2011

Mr. Chairman,

We thank the Secretary-General for his report on enhanced cooperation on public policy issues pertaining to the Internet, contained in document A/66/77, which provides a useful introduction to the discussions under this agenda item.



As a multi-ethnic, multi-cultural and democratic society with an open economy and an abiding culture of pluralism, India emphasizes the importance that we attach to the strengthening of the Internet as a vehicle for openness, democracy, freedom of expression, human rights, diversity, inclusiveness, creativity, free and unhindered access to information and knowledge, global connectivity, innovation and socio-economic growth. We believe that the governance of such an unprecedented global medium that embodies the values of democracy, pluralism, inclusion, openness and transparency should also be similarly inclusive, democratic, participatory, multilateral and transparent in nature. Indeed, this was already recognized and mandated by the Tunis Agenda in 2005, as reflected in paragraphs 34, 35, 56, 58, 59, 60, 61 and 69 of the Agenda. Regrettably, in the six long years that have gone by, no substantial initiative has been taken by the global community to give effect to this mandate. Meanwhile, the internet has grown exponentially in its reach and scope, throwing up several new and rapidly emerging challenges in the area of global internet governance that continue to remain inadequately addressed. It is becoming increasingly evident that the Internet as a rapidly-evolving and inherently global medium, needs quick-footed and timely global solutions and policies, not divergent and fragmented national policies. The range and criticality of these pressing global digital issues that continue to remain unaddressed, are growing rapidly with each passing day. It is, therefore, urgent and imperative that a multilateral, democratic participative and transparent global policy-making mechanism be urgently instituted, as mandated by the Tunis Agenda under the process of 'Enhanced Co-operation', to enable

coherent and integrated global policy-making on all aspects of global Internet governance.

Operationalizing the Tunis mandate in this regard should not be viewed as an attempt by governments to “take over” or “regulate and circumscribe” the internet. Indeed, any such misguided attempt would be antithetical not only to the internet, but also to human welfare. As a democratic and open society that has historically welcomed outside influences and believes in openness to all views and ideas and is wedded to free dialogue, pluralism and diversity, India attaches great importance to the preservation of the Internet as an unrestricted, open and free global medium that flourishes through private innovation and individual creativity and serves as a vehicle for open communication, access to culture, knowledge, democratization and development. India recognizes the role played by various actors and stakeholders in the development and continued enrichment of the internet, and is firmly committed to multi-stakeholderism in internet governance, both at the national and global level. India believes that global internet governance can only be functional, effective and credible if all relevant stakeholders contribute to, and are consulted in, the process.

Bearing in mind the need for a transparent, democratic, and multilateral mechanism that enables all stakeholders to participate in their respective roles, to address the many cross-cutting international public policy issues that require attention and are not adequately addressed by current mechanisms and the need for enhanced cooperation to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet, India proposes the establishment of a new institutional mechanism in the United Nations for global internet-related policies, to be called the United Nations Committee for Internet-Related Policies (CIRP). The intent behind proposing a multilateral and multi-stakeholder mechanism is not to “control the internet” or allow Governments to have the last word in regulating the internet, but to make sure that the Internet is governed not unilaterally, but in an open, democratic, inclusive and participatory manner, with the participation of all stakeholders, so as to evolve universally acceptable, and globally harmonized policies in important areas and pave the way for a credible, constantly evolving, stable and well-functioning Internet that plays its due role in improving the quality of peoples’ lives everywhere.

The CIRP shall be mandated to undertake the following tasks:

- i. Develop and establish international public policies with a view to ensuring coordination and coherence in cross-cutting Internet-related global issues;
- ii. Coordinate and oversee the bodies responsible for technical and operational functioning of the Internet, including global standards setting;
- iii. Facilitate negotiation of treaties, conventions and agreements on Internet-related public policies;
- iv. Address developmental issues related to the internet;
- v. Promote the promotion and protection of all human rights, namely, civil, political, social, economic and cultural rights, including the Right to Development;
- vi. Undertake arbitration and dispute resolution, where necessary; and,

vii. Crisis management in relation to the Internet.

The main features of CIRP are provided in the annex to this statement. In brief, the CIRP will comprise 50 Member States chosen on the basis of equitable geographical representation, and will meet annually for two working weeks in Geneva. It will ensure the participation of all relevant stakeholders by establishing four Advisory Groups, one each for civil society, the private sector, inter-governmental and international organizations, and the technical and academic community. The Advisory Groups will provide their inputs and recommendations to the CIRP. The meetings of CIRP and the advisory groups will be serviced by the UNCTAD Secretariat that also services the meetings of the Commission on Science and Technology for Development. The Internet Governance Forum will provide inputs to CIRP in the spirit of complementarity between the two. CIRP will report directly to the General Assembly and present recommendations for consideration, adoption and dissemination among all relevant inter-governmental bodies and international organizations. CIRP will be supported by the regular budget of the United Nations; a separate Fund would be set up by drawing from the domain registration fees collected by various bodies, in order to mainly finance the Research Wing to be established by CIRP to support its activities.

Those familiar with the discourse on global internet governance since the beginning of the WSIS process at the turn of the millennium, will recognize that neither the mandated tasks of the CIRP, nor its proposed modalities, are new. The Working Group on Internet Governance (WGIG) set up by the UN Secretary-General had explicitly recognized the institutional gaps in global internet governance and had proposed four institutional models in its report to the UN General Assembly in 2005. The contours of the CIRP, as proposed above, reflect the common elements in the four WGIG institutional models. While the excellent report of the WGIG was much discussed and deliberated in 2005, unfortunately, no concrete follow-up action was taken to give effect to its recommendations on the institutional front. We hope that this anomaly will be redressed at least six years later, with the timely establishment of the CIRP.

In order to operationalize this proposal, India calls for the establishment of an open-ended working group under the Commission on Science and Technology for Development for drawing up the detailed terms of reference for CIRP, with a view to actualizing it within the next 18 months. We are open to the views and suggestions of all Member States, and stand ready to work with other delegations to carry forward this proposal, and thus seek to fill the serious gap in the implementation of the Tunis Agenda, by providing substance and content to the concept of Enhanced Co-operation enshrined in the Tunis Agenda.

Annex

The United Nations Committee for Internet-Related Policies (CIRP)

The United Nations Committee for Internet-Related Policies (CIRP) will have the following features:

Membership: The CIRP will consist of 50 Member States of the United Nations, chosen/elected on the basis of equitable geographical representation. It will provide for equitable representation of all UN Member States, in accordance with established UN principles and practices. It will have a Bureau consisting of one Chair, three Vice-Chairs and a Rapporteur.

Meetings: The CIRP will meet annually for two working weeks in Geneva, preferably in May/June, and convene additional meetings, as and when required. The UNCTAD Secretariat will provide substantive and logistical support to the CIRP by servicing these meetings.

Multi-stakeholder participation: Recognizing the need to involve all stakeholders in Global Internet Governance in their respective roles, the CIRP shall ensure the participation of all stakeholders recognized in the Tunis Agenda. Four **Advisory Groups** – one each for Civil Society, the Private Sector, Inter-Governmental and International Organisations, and the Technical and Academic Community - will be established, to assist and advise the CIRP. These Groups would be self-organized, as per agreed principles, to ensure transparency, representativity and inclusiveness. The Advisory Groups will meet annually in Geneva and in conjunction with any additional meetings of the CIRP. Their meetings will be held back-to-back with the meetings of the CIRP, so that they are able to provide their inputs and recommendations in a timely manner, to the CIRP.

Reporting: The CIRP will report directly to the UN General Assembly annually, on its meetings and present recommendations in the areas of policy and implementation for consideration, adoption and dissemination to all relevant inter-governmental bodies and international organizations. .

Research Wing: The Internet is a rapidly-evolving and dynamic medium that throws up urgent and rapidly-evolving challenges that need timely solutions. In order to deal effectively and prudently with these emerging issues in a timely manner, it would be vital to have a well-resourced Research Wing attached to the CIRP to provide ready and comprehensive background material, analysis and inputs to the CIRP, as required.

Links with the IGF: Recognizing the value of the Internet Governance Forum as an open, unique forum for multi-stakeholder policy dialogue on Internet issues, the deliberations in the IGF along with any inputs, background information and analysis it may provide, will be taken as inputs for consideration of the CIRP. An improved and strengthened IGF that can serve as a purposeful body for policy consultations and provide meaningful policy inputs to the CIRP, will ensure a stronger and more effective complementarity between the CIRP and the IGF.

Budget: Like other UN bodies, the CIRP should be supported by the regular budget of the United Nations. In addition, keeping in view its unique multi-stakeholder format for inclusive participation, and the need for a well-resourced Research Wing and regular meetings, a separate Fund should also be set up drawing from the domain registration fees collected by various bodies involved in the technical functioning of the Internet, especially in terms of names and addresses.

Excerpts from the Tunis Agenda

Paragraph 34 of the Tunis Agenda defines Internet Governance as *"the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet"*.

Paragraph 35 reaffirms the respective roles of stakeholders as follows: *"(a) Policy authority for Internet-related public policy issues is the sovereign right of States. They have rights and responsibilities for international Internet-related public policy issues". (b) The private sector has had, and should continue to have, an important role in the development of the Internet, both in the technical and economic fields. (c) Civil society has also played an important role on Internet matters, especially at community level, and should continue to play such a role. (d) Intergovernmental organizations have had, and should continue to have, a facilitating role in the coordination of Internet-related public policy issues. (e) International organizations have also had and should continue to have an important role in the development of Internet-related technical standards and relevant policies."*

While delineating the respective roles of stakeholders, **Paragraph 56** recognizes the need for an inclusive, multi-stakeholder approach by affirming that *"The Internet remains a highly dynamic medium and therefore any framework and mechanisms designed to deal with Internet governance should be inclusive and responsive to the exponential growth and fast evolution of the Internet as a common platform for the development of multiple applications"*.

Paragraph 58 recognizes *"that Internet governance includes more than Internet naming and addressing. It also includes other significant public policy issues such as, inter alia, critical Internet resources, the security and safety of the Internet, and developmental aspects and issues pertaining to the use of the Internet"*.

Paragraph 59 further recognizes that *"Internet governance includes social, economic and technical issues including affordability, reliability and quality of service"*. **Paragraph 60** further recognizes that *"there are many cross-cutting international public policy issues that require attention and are not adequately addressed by the current mechanisms"*.

Paragraph 61 of the Tunis Agenda therefore concludes that *"We are convinced that there is a need to initiate, and reinforce, as appropriate, a transparent, democratic, and multilateral process, with the participation of governments, private sector, civil society and international organisations, in their respective roles. This process could envisage creation of a suitable framework or mechanisms, where justified, thus spurring the ongoing and active evolution of the current arrangements in order to synergize the efforts in this regard"*.

Paragraph 69 further recognizes *"the need for enhanced cooperation in the future, to enable governments, on an equal footing, to carry out their roles and responsibilities, in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters, that do not impact on international public policy issues"*.